

STATE OF VERMONT
PUBLIC SERVICE BOARD

Petition of Vermont Gas Systems, Inc., for a)	
certificate of public good, pursuant to 30 V.S.A.)	
§ 248 , authorizing the construction of the)	
“Addison Natural Gas Project” consisting of)	
approximately 43 miles of new natural gas)	Docket No. 7970 (on remand)
transmission pipeline in Chittenden and)	
Addison Counties, approximately 5 miles of)	
new distribution mainlines in Addison County,)	
together with three new gate stations in		
Williston, New Haven and Middlebury,		
Vermont		

AARP MOTION TO INTERVENE

AARP moves pursuant to Board Rule 2.209(A) to intervene as of right. If intervention as of right is not granted, intervention by permission is sought pursuant to Rule 2.209(B).

AARP’s interest and intent is solely to address issues pertaining to costs. AARP does not intend to address environmental concerns. AARP intends to utilize the services of utility economist David Dismukes, Ph.D., to review the cost filings that the Board has asked VGS to file on September 22, 2014, together with other information, and then to provide expert testimony to the Board. His testimony is expected to address how VGS has calculated and reported the costs of the project, how VGS intends to have ratepayers pay for those costs, and what the new information reveals about the amount of the cross-subsidy and the timing of the return benefit to the ratepayers providing the subsidy, in the context of VGS’ alternative regulation plan and the Board’s order establishing the System Expansion and Reliability Fund. His resume is enclosed.

However, Dr. Dismukes is not available on such short notice that he can prepare testimony by September 22 or appear on September 26. He is available to review documents in

detail, and testify, after October 6. That is, he will be available to testify only if the Board actually opens an investigation. AARP asks for permission to participate in the September 26, 2014 hearing through counsel, and subsequently to submit testimony if the opportunity is provided. Counsel expects that Dr. Dismukes will assist him in preparing cross-examination questions for the hearing on September 26, but will not be present at the hearing.

AARP respectfully submits that it appears that no other party will engage the services of an expert witness competent to analyze and, if the Board decides to reconsider the project, to testify about the cost of the Phase 1 project, and its impact on existing and future ratepayers – other than VGS itself, and the Department of Public Service, which has already stated that it continues to support the project notwithstanding the cost increases.

MEMORANDUM

AARP has over 132,000 members within Vermont. Many of those members are customers of Vermont Gas Systems, Inc. In furtherance of its social mission, AARP participates in advocacy pertaining to consumer protection issues important to people over 50. In order to protect the interests of its members and the 50+ community, AARP has applied for and has been granted intervenor status in many important utility cases before this Board, including the Board's review of the alternative regulation petitions submitted by Green Mountain Power Corporation and Central Vermont Public Service Corporation. In some cases in which AARP has been authorized to intervene, the Board has based its findings upon the expert testimony submitted by AARP and rejected the testimony of the other parties. In some cases the Board has accepted the statutory interpretations submitted by AARP, rejecting the interpretations of statute submitted by other parties. In each of these cases, AARP has deliberately avoided significant duplication of testimony with other parties.

AARP meets the standards of Rule 2.109(A)(3), governing intervention as of right. First, it has articulated a “substantial interest” which may be affected by the outcome of these proceedings. Second, the proceedings afford “the exclusive means” by which AARP can protect that interest. Third, AARP’s interest will not be “adequately represented by existing parties.” AARP’s purposes and intent differ from those of the Department and the other intervenors. AARP’s goal is protecting the interests of its members and all individuals over 50 years of age in Vermont, and no other intervenors are prepared to utilize the services of a utility economist.

AARP also meets the standards of 2.109(B), on intervention by permission. AARP meets the primary criterion because AARP and its members have a substantial interest that may be affected by the costs of the project if approved. In addition, there is not another party or organization that can or will represent AARP’s unique views, there is no other means to protect the interests of AARP members and the 50+ population in Vermont, and AARP will work diligently to avoid delaying the proceeding.

Dated at Bristol, Vermont, this 22nd day of September, 2014.

AARP

BY:

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